

IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

UNITED STATES TELECOM ASSOCIATION, )

Petitioner, )

v. )

FEDERAL COMMUNICATIONS )  
COMMISSION and THE UNITED STATES )  
OF AMERICA, )

Respondents. )

No. 00-1428

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**STATUS REPORT**

The Federal Communications Commission files this status report pursuant to the Court's order dated January 19, 2001. In that order, the Court granted the Commission's motion to hold this case in abeyance pending agency action on petitions for reconsideration of the challenged *South Dakota Declaratory Ruling*.<sup>\*</sup> In an order dated January 31, 2005, the Court enlarged from 30 to 90 days the intervals at which the Commission must file status reports.

The Commission staff is taking steps to complete its work on the reconsideration petitions pending before the agency. The Commission will promptly inform the Court

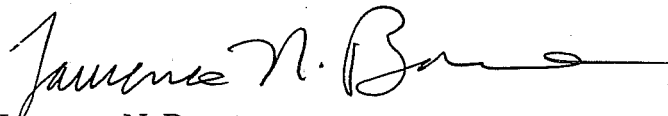
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<sup>\*</sup> *Federal-State Joint Board on Universal Service; Western Wireless Corporation Petition for Preemption of an Order of the South Dakota Public Utilities Commission*, CC Docket No. 96-45, Declaratory Ruling, 15 FCC Rcd 15168 (2000) ("*South Dakota Declaratory Ruling*").

and the parties when the agency acts on reconsideration. In the meantime, the Court should continue to hold the case in abeyance.

Respectfully submitted,

John E. Ingle  
Deputy Associate General Counsel

A handwritten signature in black ink, appearing to read "Laurence N. Bourne", with a long horizontal flourish extending to the right.

Laurence N. Bourne  
Counsel

Federal Communications Commission  
Washington, D.C.  
(202) 418-1740

October 28, 2005

IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

United States Telcom Association, Petitioner,

v.

Federal Communications Commission and USA, Respondents.

Certificate Of Service

I, Tamika S. Parker, hereby certify that the foregoing "Status Report" was served this 28th day of October, 2005, by mailing true copies thereof, postage prepaid, to the following persons at the addresses listed below:

Richard D. Coit  
South Dakota Independent Telephone Coalition  
207 East Capitol, Suite 206  
P.O. Box 57  
Pierre SD 57501

Counsel For: South Dakota Independent Telephone  
Coalition, Inc.

Gene DeJordy  
Western Wireless Corp.  
Suite 100  
2001 N.W. Sammamish Road  
Issaquah WA 98027

Counsel For: Western Wireless Corporation

Nancy C. Garrison  
U.S. Dept. of Justice  
Antitrust Div., Appellate Section  
950 Pennsylvania Avenue, N.W., Room 3224  
Washington DC 20530-0001

Counsel For: USA

James Bradford Ramsay  
NARUC  
1101 Vermont Ave., N.W.  
Suite 200  
Washington DC 20005

Counsel For: National Ass'n of Regulatory Utility  
Comm'rs

David L. Sieradzki  
Hogan & Hartson L.L.P.  
555 Thirteenth Street, N.W.  
Washington DC 20004-1109

Counsel For: Western Wireless Corporation

David Cosson  
Kraskin, Lesse & Cosson, LLP  
2120 L Street, N.W.  
Suite 520  
Washington DC 20037

Counsel For: Project Telephone Company, Inc.

Benjamin H. Dickens, Jr.  
Blooston, Mordkofsky, Dickens, Duffy & Prendergast  
2120 L Street, N.W., Suite 300  
Washington DC 20037

Counsel For: South Dakota Independent Telephone  
Coalition, Inc.

Donna N. Lampert  
Lampert & O'Connor, P.C.  
1750 K Street, N.W.  
Suite 600  
Washington DC 20006

Counsel For: United States Telecom Association

Lawrence E. Sarjeant  
United States Telecom Association  
1401 H Street, N.W., Suite 600  
Washington DC 20005-2164

Counsel For: United States Telecom Association

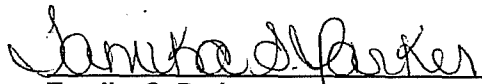
L. Andrew Tollin  
Wilkinson Barker Knauer, LLP  
2300 N Street, N.W.  
Suite 700  
Washington DC 20037-1128

Counsel For: Dobson Communications Corporation

00-1428

Rolayne Ailts Wiest  
Special Assistant Attorney General  
South Dakota Public Utilities Commission  
500 East Capitol  
Pierre SD 57501

Counsel For: South Dakota Public Utilities  
Commission

  
Tamika S. Parker